

Application No. 10/670,169  
Applicant: Robert Thomas Dzikowicz  
Amendment in Response to Office Action dated April 28, 2005

### REMARKS

Applicants respectfully request reconsideration and allowance of this application in view of the following comments.

Claims 1-9 are pending.

#### Obviousness-Type Double Patenting Rejection

The claims stands rejected by the Examiner under obviousness-type double patenting in view of U.S. Patent No. 6,553,380. In response, Applicants submit a terminal disclaimer over the cited patent in a separate paper.

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

#### Conclusion

Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

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Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully requests that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

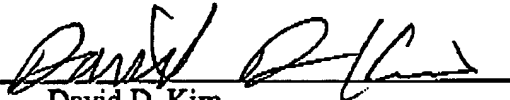
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ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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